

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

September 17, 2004

IN RE:

**PETITION OF DIECA COMMUNICATIONS, INC.
D/B/A COVAD COMMUNICATIONS COMPANY
FOR ARBITRATION OF INTERCONNECTION
AGREEMENT AMENDMENT WITH BELL SOUTH
TELECOMMUNICATIONS, INC.**

**DOCKET NO.
04-00186**

ORDER APPOINTING A HEARING OFFICER

This matter came before Chairman Pat Miller, Director Deborah Taylor Tate and Director Sara Kyle of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on August 9, 2004, for consideration of the Petition for Arbitration of DIECA Communications, Inc. filed on June 24, 2004. During the Authority Conference the panel voted unanimously to appoint the Authority's General Counsel or his designee to act as the Hearing Officer in this proceeding "to determine whether we have an arbitration or dispute, and if it was genuinely a dispute, that the hearing officer set out procedures for resolution of the docket and that – and take up any other matters necessary to the docket for preparation for us to hear it."¹

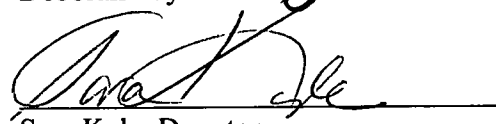
IT IS SO ORDERED.



Pat Miller, Chairman



Deborah Taylor Tate, Director



Sara Kyle, Director

¹ Transcript of Authority Conference, pp 9-10 (August 9, 2004)